IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRD DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE B.SESHASAYANA REDDY

WRIT PETITION No. 24548 of 2004

Between:

Public Unity & Welfare Association of India, rep. by its General Secretary Sri B.S.S. R. Pawar,
S/o. B.R. Pawar, R/o. 15-20/4, Old Mirzalguda, Malkajigir, Hyderabad-47.

..... PETITIONER

AND

1. The Municipal Corporation of Hyderabad, rep. by Municipal Commissioner, Hyderabad.
2. The District Collector, Hyderabad District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus, or any other appropriate writ, order or direction declaring the action of the respondents in not taking appropriate steps for removal of encroachments and illegal constructions made on public roads and lanes leading to Ziaguda to Puranapul road, sub road leading to Ziaguda to Golconda Fort road, bullockcarts parkings place, Iqbalgunj and open land belonging to paigah estate as illegal and unjust and to consider the earlier relief given by the Hon'ble Court in W.P.No.1429/2002 with immediate effect.

Counsel for the Petitioner: Mr. CH.DHANAMJAYA

Counsel for the Respondent No1.: Mr. G.RAMA RAO

SC for M.C.H.

Counsel for Respondent No.2: G.P. for Revenue.

The Court made the following :

ORAL ORDER:

(per Honourable Sri Devinder Gupta, the Chief Justice)

Filing of the present writ petition is misconceived inasmuch as earlier, same writ petitioner had filed W.P.No.1429 of 2002, which was disposed of on 19.12.2002 with direction to the Municipality to look into the matter and enquire and proceed against the encroachers, if any, in accordance with law. In case, the said order has not been complied with, filing of second writ petition is wholly misconceived since the petitioner has other remedies to work out in accordance with law.

The Writ Petition, therefore, is dismissed. No costs.

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DEVINDER GUPTA, C.J.

3.3.2005

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B.SESHASAYANA REDDY, J.

VR.

To

1. The Commissioner, Municipal Corporation of Hyderabad, Hyderabad.
2. The District Collector, Hyderabad District.

3) 2 CCs to Government Pleader for Revenue, High Court Buildings, Hyderabad (OUT).

4) Two CD copies.

5) 1 CC to MR.DHANAMJAYA

*Form-NIC-OGS/WP{**JGK**}*